

**REMARKS**

Claims 1-15 are pending in this application. By this Amendment, claims 1-15 amended for clarity. No new matter is added.

The Office Action rejects claims 1-15 under 35 U.S.C. §103(a) as being anticipated over alleged AAPA (applicants' admitted prior art) in view of Reich (DE 2716345). Applicants respectfully traverse this rejection of the claims.

Applicants assert that alleged AAPA and Reich, either alone or in combination, do not disclose or suggest at least a simulated human ear with an orifice in a simulated head and a sound source in a simulator for outputting an acoustical volume velocity Q through the orifice, as recited in independent claim 1.

The Office Action asserts that alleged AAPA discloses a simulated human ear with an orifice, and cites page 1, line 26 - page 2, line 27 of the current specification. However, Applicants respectfully submit that this passage merely discloses that computerized methods and acoustical tools exist for analyzing sound. However, this passage does not disclose or suggest a simulated human ear with an orifice. Further, the Office Action admits that alleged AAPA does not teach a sound source in the in a simulator and outputting the acoustical volume velocity through the orifice. Thus, alleged AAPA does not disclose or suggest a sound source in a simulator for outputting the acoustical volume velocity Q through the orifice, as recited in independent claim 1.

Reich does not make up for the above-noted deficiencies of alleged AAPA. Reich discloses a method of improving direction sensing by means of reproduction of a sound recording. Specifically, Reich discloses performing the direction sensing during the reproduction of sound recordings by delaying sound signals, and replacing simulated ears of a simulated head with loudspeakers only in connection with providing an acoustic delay. However, Reich merely discloses a dummy head in which speakers are disposed in the

location of ear imitations. Reich does not teach that a dummy head has ear imitations with an orifice, and further, does not teach a sound source for outputting the acoustical volume velocity  $Q$  through the orifice. See Fig. 2.

Thus, Applicants assert that alleged AAPA and Reich, either alone or in combination, do not disclose or suggest a simulated human ear with an orifice in a simulated head and a sound source in a simulator for outputting an acoustical volume velocity  $Q$  through the orifice, as recited in independent claim 1.

In view of the above, independent claim 1 recites patentable subject matter. Claims 2-15 depend from the independent claim 1, and therefore also define patentable subject matter by virtue of their dependency as well as for the additional features they recite. Accordingly, Applicants respectfully request that the rejection of claims 1-15 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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JAO:AXS

Attachment:  
Petition for Extension of Time

Date: March 28, 2008

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